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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 JOAN L. DEMAR,

No. C07-04670 MJJ

12 Plaintiff,

**ORDER DENYING REQUEST TO
PROCEED IN FORMA PAUPERIS**

13 v.

14 KAISER PERMANENTE,

15 Defendant.
16 _____ /

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18 Plaintiff Joan Demar (“Plaintiff”) requests leave to proceed *in forma pauperis*. Because
19 Plaintiff’s affidavit does not indicate (1) the present balance of her bank account and (2) how much
20 cash she currently has, this Court **DENIES** Plaintiff’s request **WITH LEAVE TO AMEND**.

21 This Court has authority to “authorize the commencement . . . of any suit . . . without
22 prepayment of fees and costs or security therefor, by a person who makes affidavit that he is unable
23 to pay such costs or give security therefor.” 28 U.S.C. § 1915(a). The applicant must submit an
24 affidavit that the plaintiff is unable to pay court fees. *Id.*

25 A court must dismiss the complaint of a plaintiff proceeding *in forma pauperis* if at any time
26 the court determines that the action is frivolous, fails to state a claim on which relief may be granted,
27 or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §
28 1915(e)(2)(B). The plaintiff must also demonstrate that the Court has jurisdiction over the action.

Plaintiff fails to demonstrate that she is unable to pay court fees. In her affidavit, Plaintiff

1 states that she has a Washington Mutual bank account. (Plf.'s Appn. to Proceed *In Forma Pauperis*
2 ¶ 7.) However, she fails to state the present balance of that account. (*See id.*) Furthermore, Plaintiff
3 indicates that she has cash but does not state the amount of cash she currently holds. (*Id.*)

4 Accordingly, the Court **DENIES** Plaintiff's request to proceed *in forma pauperis* **WITH**
5 **LEAVE TO AMEND.** Plaintiff has fifteen (15) days to file an amended Application to Proceed *In*
6 *Forma Pauperis.*

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9 IT IS SO ORDERED.

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11 Dated: October 5, 2007
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MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE